PATENT APPLICATION ATTORNEY DOCKET NO. 100201669-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

iventor(s):

Gary R. Ashton et al

Confirmation No.: 5161

Application No.: 10/654189

Examiner: Wilson, Christian

Filing Date:

Sep 03, 2003

Group Art Unit: 2824

Title:

Ultra-High Density Storage Device Using Phase Change Diode Memory Cells And

Methods Of Fabrication Thereof

Mail Stop Amendment **Commissioner for Patents** PO Box 1450 Alexandria. VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)

(X) under 37 CFR 1.97 (c) together with either a:

(X) Statement under 37 CFR 1.97(e), or

() a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)

() under 37 CFR 1.97 (d) together with a:

() Statement under 37 CFR 1.97(e)(1) or (2), and

() a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account 08-2025 the sum of \$_\$0.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25.

Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

() A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandrja, VA 22313-1450. Date of Deposit:

() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number

Number of pages:

Typed Name: Carrie McKerley

Signature

Respectfully submitted,

Gary R. Ashton et a

Gerald E. Laws

Attorney/Agent for Applicant(s)

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2000

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Rev 12/04 (IDSCERT)

PATENT APPLICATION

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Fort Collins, Colorado 80527-2400 FEB 0 7 2005

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STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

- (X) Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
 - -- was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - -- to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Gary R. Ashton.

Gerald E. Laws

Attorney/Agent for Applicant(s)

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/654189			
Filing Date	Sept 3, 2003			
First Named Inventor	Ashton et al			
Art Unit	2824			
Examiner Name	Wilson, Christian D.			
Attorney Docket Number	100201669-1			

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	^{US-} 2002/0176349	11/28/2002	Gibson et al	
	2	^{US-} 2004/0086802	5/6/2004	Gibson	
	3	^{US-} 3983542	9/28/1976	Ovshinsky	
	4	^{US-} 2003/0081527	5/1/2003	Gibson et al	
	5	^{US-} 5557596	9/17/1996	Gibson et al	
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				\vdash
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Examiner		Date	
Signature	•	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND** TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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